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VIA ECF

Honorable Steven M. Gold
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East, Courtroom 13-D
Brooklyn, New York 11201

Re: Zeng v. The Parc Hotel, et al., 17 Civ. 07601(ARR)(SMG)

Dear Judge Gold:

We represent Defendant/Third-Party Plaintiff CLA Commercial Cleaning, LLC (“CLA”) in the above referenced action. We respectfully submit this letter, on behalf of CLA, in response to Plaintiff Qinghai Zeng’s (“Plaintiff”) counsel’s letter dated August 24, 2018 and to request an adjournment of the in-person status conference scheduled for this Friday, August 31, 2018, at 2:30 p.m.

As Your Honor is aware, on August 24, 2018, counsel for Plaintiff and CLA each submitted an updated status report letter in accordance with the Court’s August 10, 2018 Status Report Order. (See Dkt. Nos. 34 and 35) In addition to providing an updated status report regarding Plaintiff’s proposed second amended complaint, in his letter, Plaintiff’s counsel advised that he intends to seek to withdraw as counsel in this case. Specifically, Plaintiff’s counsel wrote that “[w]e would also like to inform the Court of our intention to Withdraw as Counsel as soon as possible. We have contacted our client multiple times via phone but our client has not been forthcoming and has been reluctant to cooperate with us in terms of moving the case forward.” (Dkt. No. 35)

CLA does not object to Plaintiff’s counsel’s request to withdraw from the case, and, of course, defers to the Court’s discretion in that regard. Moreover, in view of Plaintiff’s apparent disinterest in pursuing this matter, CLA respectfully requests that the Court dismiss this action without prejudice.

Relatedly, shortly after we filed CLA’s updated status report letter, Your Honor issued a Scheduling Order directing counsel for all parties to appear for an in-person status conference on August 31, 2018 at 2:30 p.m. However, as we informed Plaintiff’s counsel, we are unable to attend the in-person status conference scheduled for this Friday because CLA’s lead counsel,

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Honorable Steven M. Gold
August 28, 2018
Page 2

Brian J. Turoff, is out of the country through the remainder of this week, and, additionally, I am scheduled to be on an airplane during the time set for the conference. Accordingly, pursuant to Your Honor's Individual Practices, and assuming the Court still intends to hold the in-person status conference, we respectfully request that the Court adjourn the in-person status conference scheduled for this Friday, August 31, 2018, at 2:30 p.m. As possible alternative dates for the in-person status conference, we respectfully suggest September 7, 12 or 13, 2018, to the extent those dates work for the Court. There have been no previous requests to adjourn the conference, and Plaintiff's counsel consents to the adjournment.

We thank the Court for its time and continuing attention to this matter.

Respectfully submitted,



Samantha J. Katze

cc: All counsel (via ECF)